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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICATION NUMBER:

10/719,370

FILING DATE:

11/21/2003

FIRST NAMED INVENTOR:

Donna T. Ward

ART UNIT:

1635

**EXAMINER NAME:** 

To Be Determined

ATTORNEY DOCKET NUMBER:

PTS-0070US.P1

TITLE:

MODULATION OF HIF1(ALPHA) AND

HIF2(ALPHA) EXPRESSION

I certify that this communication is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 C.F.R. §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 C.F.R. §§ 1.56 and 1.97-98, enclosed herewith is PTO Form PTO/SB/08A and PTO/SB/08B listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into
the national stage of an international application, or before the mailing date of a
first office action on the merits, whichever event last occurred;
before the mailing of a first official action after filing of a request for
continued examination (RCE) under 37 C.F.R. § 1.114;
after three months of the filing date of this national application or the date of
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of the first official action on the merits, whichever event last occurred, but before
that mailing date of the first office action to occur of either: (1) a final action
under 37 C.F.R. § 1.113; or (2) an action that otherwise closes prosecution in the
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attached hereto is the fee set forth under 37 C.F.R. § 1.17(p) for
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Applicant certifies pursuant to 37 C.F.R. § 1.97(e) that:
each item of the information contained in this Information
Disclosure Statement was first cited in a communication from a
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Statement was cited in a counterpart foreign application and, to the
knowledge of the person signing this certification after making
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§ 1.56(c) more than three months prior to the filing of this
Statement.
on or before the payment of the issue fee but after the mailing date of the first
to occur of either: (1) a final action under 37 C.F.R. § 1.113; (2) a notice of
allowance under 37 C.F.R. § 1.311; or (3) an action that otherwise closes
prosecution in the application, and:

Serial No.: 10/719,370 Docket No.: PTS-0070US.P1

Applicant certifies pursuant to 37 C.F.R. § 1.97(e) that:
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Statement was cited in a counterpart foreign application and, to the
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reasonable inquiry, no item of information contained in this
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§ 1.56(c) more than three months prior to the filing of this
Statement. AND
attached hereto is the fee set forth under 37 C.F.R. § 1.17(p) for
submission of this Information Disclosure Statement under 37 C.F.R. §
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after the payment of the issue fee. Applicant requests that the information
contained in this Information Disclosure Statement be placed in the file according
to 37 C.F.R. § 1.97(i), although the information may not be considered by the
USPTO.
Enclosed is a copy of each listed reference that may be material to the examination of
this application, and for which there may be a duty to disclose.
This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior
application No. , filed on , and the references cited therein are hereby
referenced, but are not required to be provided in this application under 37 C.F.R. §
1.98(d).
This application was filed after June 30, 2003. Therefore, pursuant to the waiver of
the requirements under 37 C.F.R. § 1.98(a)(2)(i), copies of each U.S. Patent and each
U.S. Patent Application Publication are not required to be submitted. Copies of any
foreign patent documents and non-patent literature cited herein are enclosed.

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☐ Each item of information contained in this Information Disclosure Statement was
cited in the communication from a foreign patent office in a counterpart application, and
the communication was not received by any individual designated in 37 C.F.R. § 1.56(c)
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C.F.R. § 1.704(d).

Applicant submits that no fee is required for the consideration of this Information Disclosure Statement. However, if a fee is due, the Commissioner is hereby authorized to charge Deposit Account No 500252 referencing case number PTS-0070US.P1. Consideration of the listed references and favorable action are solicited.

Dated: 8/17/05

Respectively Submitted,

Jodi L. Connolly, Ph.D.

Registration No.: 54,044 Isis Pharmaceuticals, Inc. 1896 Rutherford Road Carlsbad, CA 92008

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449A/PT OF TRADEMAS Complete if Known Application Number 10/719,370 INFORMATION DISCLOSURE Filing Date 11/21/2003 STATEMENT BY APPLICANT First Named Inventor Donna T. Ward Art Unit 1623 (Use as many sheets as necessary) To Be Determined Examiner Name Sheet PTS-0070US.P1 of 1 Attorney Docket Number

AUG 2 4 2005

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
		Number - Kind Code <sup>2</sup> (if known)		Cited Document	Passages or Relevant Figures Appear	
	AA	US-2004/0086498	05-06-2004	Krissansen et al.		
	AB	US-2004/0180357	09-14-2004	Reich et al.		
	AC	US-2005/0070474	03-31-2005	Krissansen et al.		
	AD	US-2005/0148496	07-07-2005	Defranoux et al.		
	AE	US-2005/0163781	07-28-2005	Koninckx et al.		

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite	Foreign Patent Document	Publication	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Date MM-DD-YYYY			
	AF	WO 99/48916	09-30-1999	Board of Trustees of the Leland Stanford Jr. Univ.		
			1			

Examiner Signature	 Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Wind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is gowerned by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application. The process of the patent is the complete of the patent of time was required to the process.

and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.